

U.S. EPA

CERCLA SECTION 104(e)

REQUEST FOR INFORMATION

Respondent: Frontier Communications Corporation

Site: Quendall Terminals
4503 Lake Washington Blvd. N.
Renton, WA

The Quendall Terminals Superfund Site ("Quendall Terminal Site" or "Site") is the former location of creosote distilling and manufacturing operations conducted by Republic Creosoting Company and the Reilly Tar and Chemical Company. The EPA has information indicating that Honolulu Gas Company and/or GasCo, Inc. shipped or otherwise transferred water gas tar or similar materials, products, byproducts, or wastes to the Quendall Terminals Site, and that the Frontier Communications Corporation is a successor to Honolulu Gas Company and/or GasCo, Inc.

Please note:

- **Instructions** for responding to this Information Request start on Page 6, including the relevant time period covered by this Information Request.
- **Definitions** relevant to this Information Request start on Page 8. Definitions include words such as "Respondent," "Site," and "identify" and "Listed Facilities."

REQUEST FOR INFORMATION QUESTIONS

Respondent Information

1. Provide the full legal name and mailing address of the Respondent.
2. For each person answering these questions on behalf of Respondent, provide:
 - a. full name;
 - b. title;
 - c. business address; and

- d. business telephone number and FAX machine number.
3. If Respondent wishes to designate an individual for all future correspondence concerning this Site, please indicate here by providing that individual's name, address, telephone number, and fax number.
4. Describe in detail Respondent's relationship to the Honolulu Gas Company, incorporated in Hawai'i in 1904 and renamed as GasCo, Inc. in 1971. Provide all documents that relate to any corporate succession from Honolulu Gas Company and/or GasCo, Inc. and/or Pacific Resources, Inc. and/or Broken Hill Proprietary Company Limited and/or Citizens Utilities Company and/or Citizens Communications Company to Respondent, including, but not limited to, articles of incorporation, articles of merger, corporate name changes, purchase/sale agreements, and any relevant state or federal filings.

Respondent Operations

5. State the dates during which Respondent or its predecessor owned and/or operated any portion of the manufactured gas plant located at 616 Iwilei Road in Honolulu, Hawai'i (referred to "former Honolulu Gas and/or GasCo site"). Provide the names of the companies that owned and/or operated at this location during the stated dates and their relationship to Respondent.
6. Identify any other facility owned and/or operated by Respondent or its predecessors that manufactured gas of any type or that were otherwise engaged in the gasification or refining of fossil fuel and that sent, transported, arranged for the transportation of, or otherwise transferred any materials, products, byproducts or wastes to the Quendall Terminals Site (including Republic Creosoting Company and the Reilly Tar and Chemical Corporation). For each facility identified, provide the name and address of the facility, identify the owner and operator of the facility at the time of transfer and its relationship to Respondent, and state the dates during which Respondent or its predecessor owned and/or operated any portion of the facility.
7. The former Honolulu Gas and/or GasCo facility and any other facilities identified in response to question 6 will hereinafter be referred to as the "Listed Facilities." For the period between 1916 and 1971, identify and describe, and provide all documents that refer or relate to:
 - a. All manufacturing or processing activities conducted at each of the Listed Facilities while it was owned or operated by Respondent or its predecessors. List the dates during which such activities were conducted and provide documents that describe the manufacturing or other processes

including process diagrams, the constituents and chemicals in the produced products or generated waste, flow charts or other similar documents. This request is intended to include, but is not limited to, the following processes:

- i. gasification processes producing tar, including but not limited to coal carbonization, oil-gas production, and carbureted water gas production;
 - ii. refining processes producing coal tar or tar residuals, including but not limited to the production of commercial products or byproducts; and
 - iii. reuse of coking byproducts and/or coal tar or tar residuals.
- b. For each of the Listed Facilities, identify all materials used, reused, recycled, or produced from the activities identified in response to question 7(a). Your response should include a description of the handling and management of these materials, including how these materials changed over time or as a result of process changes. This request is intended to include, but is not limited to:
- i. raw materials;
 - ii. byproducts;
 - iii. commercial products;
 - iv. debris and wastes; and
 - v. any hazardous substances not already identified.
- c. For each of the Listed Facilities, identify and provide all documents related to materials, products, byproducts or wastes that were sold, transported, sent or otherwise transferred to the Quendall Terminals Site (including Republic Creosoting Company and the Reilly Tar and Chemical Corporation). The response should include, but is not limited to, all tests, analyses, analytical sampling, and any other data concerning the constituents, including hazardous substances, of such materials, products, byproducts or wastes. Please include information regarding who conducted the test and how the test was conducted (e.g. batch sampling, representative sampling, splits, composite, etc.)

- d. For each of the Listed Facilities, provide all contracts and/or agreements entered into by Respondent or its predecessors with persons or businesses that owned and/or operated the Quendall Terminals Site (including Republic Creosoting Company and the Reilly Tar and Chemical Corporation), or that shipped, transported, or otherwise transferred any materials, products, byproducts or wastes to the Site. Provide all pricing information including an explanation as to how the price was determined and when title transferred from Respondent or its predecessors to the third-parties. Also, provide all information concerning the purpose and intent of the contracts and/or agreements, including how the materials, products, byproducts or wastes were intended to be used to the Quendall Terminals Site.
- e. For each of the Listed Facilities, identify the dates and the methods by which materials, products, byproducts or wastes were shipped, transported, or otherwise transferred to the Quendall Terminals Site (including Republic Creosoting Company and the Reilly Tar and Chemical Corporation). This question is intended to include, but is not limited to, identification of carriers, mode of transport, and specifications for loading and unloading. Provide all documents related to such transport or transfers.
 - a. If the shipment of materials, products, byproducts or wastes to the Quendall Terminals Site from the Honolulu Gas and/or the GasCo facility were coincident to, or related to shipment of crude oil, or other materials, products, byproducts or wastes, returning to the Honolulu Gas and/or the GasCo facility, please identify.
- f. For each of the Listed Facilities, quantify the total amount of each of the materials, products, byproducts or wastes sent, transported, or otherwise transferred to the Site.
- g. The markings on and type, condition, and number of containers in which the hazardous materials were contained when they were stored, disposed, treated, or transported for disposal.
- h. From 1916-1971, all commercial products or byproducts sold or otherwise transferred to third-parties. Provide all information concerning the sale or transfer, including an explanation as to how the price was determined and when title transferred from the Respondent or its predecessors to the third-parties. The scope of this question does not include sales of manufactured gas to residential or commercial customers.

- i. From 1916-1971, the disposition of all materials, products and byproducts not sold or transferred to third-parties as well as the disposition of debris and wastes identified in response to 7(b). Respondent's response should include a description of all recycling, reuse or disposal occurred. Respondent should also identify and provide dates for any changes in the recycling, reuse or disposal of materials, products, byproducts, residuals, debris or waste changed.
8. Provide a description of, and all documents describing the factors considered by Respondent when deciding whether to sell or otherwise transfer materials, products, byproducts or wastes from each of the Listed Facilities to the Site. Specifically address whether the composition of the materials, products, byproducts or wastes was a factor, and if so describe and provide all documents related to such considerations, including any alteration, addition or other change in the characteristic or composition of such materials, products, byproducts or wastes material for the purpose of made by Respondent.
9. If not already provided, for each of the Listed Facilities, provide all documents pertaining to sale, transfer, delivery or disposal of any materials, products, byproducts, or wastes sold or transferred to the Site. This request is intended to include, but is not limited to:
 - a. purchase orders;
 - b. price lists, pricing sheets and quotes;
 - c. carrier records and agreements;
 - d. transport designations, manifests and other records;
 - e. marketing and/or advertising materials concerning materials sold, transferred, delivered and disposed of; and
 - f. accounting records concerning product quantity, alternative buyers and uses for materials sold.
10. If not already provided, for each Listed Facility provide the names and contact information of any carriers or transporters of materials, products, byproducts or wastes to the Site.
11. If Respondent, its parent corporation, subsidiaries or other related or associated companies have filed for bankruptcy, provide:

- a. the entity or entities that filed for bankruptcy;
 - b. the U.S. Bankruptcy Court in which the petition was filed;
 - c. the docket numbers of such petition;
 - d. the date the bankruptcy petition was filed;
 - e. whether the petition is under Chapter 7 (liquidation), Chapter 11 (reorganization), or other provision; and
 - f. a brief description of the current status of the petition.
12. If you have information concerning the course, content, or quantity of materials, products, byproducts, residuals, debris or wastes transported to or otherwise used at the facility that is not included in the information you have already provided, provide all such information.
 13. Provide the names and last known address of any carriers or transporters of the materials, products, byproducts, residuals, debris or wastes identified in response to 7(b).
 14. If not already provided, identify and provide a last known address or phone number for all persons, including Respondent's current and former employees or agents who have knowledge or information about the generation, use, purchase, storage, disposal, placement, or other handling of hazardous substances, at, or transportation of hazardous substances to or from, the Site.
 15. If not already provided, identify and provide a last known address or phone number for all person, including Respondent's current and former employees or agents who have knowledge or information about the generation, use, purchase, storage, disposal, placement, or other handling of hazardous substances at, or transportation of hazardous substances to or from, the Site.

Compliance with This Request.

16. Describe all sources reviewed or consulted in responding to this Request, including, but not limited to:
 - a. the name and current job title of all individuals consulted;
 - b. the location where all documents reviewed are currently kept.

INSTRUCTIONS

1. Answer Each Question Completely. Provide a separate answer to each question and subpart set forth in this Information Request. Incomplete, evasive, or ambiguous answers shall constitute failure to respond to this Information Request and may subject the Respondent to the penalties set out in the cover letter. **The period being investigated and the relevant time period for responding to this request is 1916 to 1971.**
2. Number Each Answer. Number each answer with the number of the question to which it corresponds.
3. Provide the Best Information Available. Provide responses to the best of Respondent's ability, even if the information sought was never put down in writing or if the written documents are no longer available. Seek out responsive information from current and former employees/agents. Submission of cursory responses when other responsive information is available to the Respondent will be considered noncompliance with this Information Request.
4. Identify Information Sources. For each question, identify all persons and documents relied upon for the answer.
5. Confidential Information. The information requested herein must be provided even though the Respondent may contend that it includes confidential information or trade secrets. The Respondent may assert a confidentiality claim covering part or all of the information requested, pursuant to 42 U.S.C. §§ 9604(e)(7)(E) and (F), and 40 C.F.R. § 2.203(b). All information claimed to be confidential should be contained on separate sheet(s) and should be clearly identified as "trade secret" or "proprietary" or "company confidential." A confidentiality claim should be supported by the submission of information consistent with 40 C.F.R. Part 2. Information covered by a confidentiality claim will be disclosed by EPA only to the extent, and only by means of the procedures, provided in 40 C.F.R. §§ 2.201-2.311. **If no such claim accompanies the information received by EPA, it may be made available to the public by EPA without further notice.**
6. Disclosure to EPA Contractor. Information submitted in response to this Information Request may be disclosed by EPA to authorized representatives of the United States, pursuant to 40 C.F.R. § 2.310(h), even if the Respondent asserts that all or part of it is confidential business information. EPA may provide this information to its contractors for the purpose of organizing and/or analyzing the information contained in the responses to this Information Request. If submitting information and asserting it is entitled to treatment as confidential business information, the Respondent may comment on EPA's intended disclosure within 14 days of receiving this Information Request.

7. Personal Privacy Information. Personnel and medical files, and similar files the disclosure of which to the general public may constitute an invasion of privacy, should be segregated from responses, included on separate sheet(s), and marked as "Personal Privacy Information." Note, however, that unless prohibited by law, EPA may disclose this information to the general public without further notice.
8. Objections. The Respondent must provide responsive information notwithstanding objections to certain questions. To object without providing responsive information may subject Respondent to the penalties set out in the cover letter.
9. Privilege. If a privilege is asserted for any document responsive to this Information Request, identify (see Definitions) the document and provide the basis for assertion. If a privilege exists for only a portion of a document, provide the portion of the document that is not asserted be privileged, identify the portion that is asserted to be privileged, and provide the basis for asserting privilege. **Please note that regardless of the assertion of any privilege, any facts contained in the document which are responsive to the Information Request must be disclosed in your response.**
10. Declaration. The Respondent must complete the enclosed declaration, certifying the accuracy of all statements in your response.

DEFINITIONS

All terms not defined herein shall have their ordinary meaning, unless such terms are defined in Section 101 of CERCLA, 42 U.S.C. § 9601, *et seq.*, or Volume 40 of the Code of Federal Regulations (CFR), in which case such statutory or regulatory definitions shall apply.

The following definitions shall apply to the following words as they appear in this Enclosure:

1. The terms "and" and "or" shall be construed either disjunctively or conjunctively, as necessary, to bring within the scope of this request any information which might otherwise be construed to be outside its scope.
2. The terms "document" and "documents" includes any written, recorded, computer-generated, or visually or aurally reproduced material of any kind in any medium in your possession, custody, or control, or known by you to exist, including originals, all prior drafts, and all non-identical copies "Document" shall include, but not be limited to:
 - a. writings of any kind, including, but not limited to, any of the following:
 - i. letters, memoranda, fax transmittals;
 - ii. meeting minutes, telephone records, notebooks;
 - iii. agreements and contracts;
 - iv. reports to shareholders, management, or government agencies;
 - v. transportation manifests; and
 - vi. copies of any document.
 - b. any film, photograph, or sound recording on any type of device;
 - c. any blueprints or drawings; and
 - d. attachments to, or enclosures with, any document.
3. The term "hazardous substance" shall have the same definition as that contained in Section 101(14) of CERCLA, and includes any mixtures of such hazardous substances with any other substances, including mixtures of hazardous substances with petroleum

products or other nonhazardous substances.

4. The term "identify" means,
 - a. with respect to a natural person, to set forth: (a) the person's full name; (b) present or last known business and home addresses and telephone numbers; and (c) present or last known employer (include full name and address) with job title, position, or business.
 - b. with respect to a corporation, partnership, business trust, or other entity, to set forth: (a) its full name; (b) its complete street address; (c) its legal form (e.g., corporation, partnership, etc.); (d) the state under whose laws the entity was organized; and (e) a brief description of its business.
 - c. with respect to a document, to provide: (a) its customary business description (e.g., letter, invoice); (b) its date of creation; (c) its number if any (e.g., invoice or purchase order number); (d) the identity of the author, addressee, and/or recipient; and (e) a summary of the substance or the subject matter. **Alternatively,** Respondent may provide a complete copy of the document.
5. The term "Listed Facilities" includes the facility located at 616 Iwilei Road in Honolulu, Hawai'i and all facilities that were or are owned and/or operated by Respondent or its predecessors that sent, transported, arranged for the transportation of, or otherwise transferred any materials, products, byproducts or wastes to the Site.
6. The term "property" shall mean any interest in real or personal property whatsoever, including fee interests, leases, licenses, rental, and mineral rights.
7. The term "Respondent" shall mean the addressee of this Request and its predecessors, together with the addressee's agents, employees, and contractors.
8. The "Quendall Terminals Site" or "Site" shall mean any or all property or area currently known as Quendall Terminals, described as or near 4503 Lake Washington Blvd. N. in Renton, WA, King County tax parcel: 2924059002, and for purposes of this Information Request, all areas adjacent to Site that may have been used for purposes of loading or unloading including, but not limited to, docks and rail lines.
9. The term "waste" or "wastes" shall mean and include trash, garbage, refuse, byproducts, solid waste, hazardous waste, hazardous substances, and pollutants or contaminants, whether solid, liquid, or sludge, including, but not limited to, building debris and

asbestos-containing material.

DECLARATION

I declare under penalty of perjury that I am authorized to respond on behalf of Respondent and that the foregoing is complete, true, and correct.

Executed on _____, 20____.

Signature

Type or Print Name

Title

Mailing Address: